

~~FILED~~
~~AUG - 9 2009~~

FILED 09 AUG 10 16:39 USDC-ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEPHEN HEPOLA,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant.

Civil Case No. 07-1773-PK

O R D E R

Bruce W. Brewer
419 Fifth Street
Oregon City , Oregon 97045

Attorney for Plaintiff

Kent S. Robinson
Acting United States Attorney
District of Oregon
Adrian L. Brown
U.S. Attorney's Office
1000 SW Third Avenue, Suite 600
Portland , Oregon 97204

Thomas M. Elsberry
Social Security Administration
Office of the General Counsel
701 Fifth Avenue, Suite 2900, M/S 901
Seattle, Washington 98104-7075

Attorneys for Defendant

KING, Judge:

The Honorable Paul Papak, United States Magistrate Judge, filed Findings and Recommendation on May 15, 2009. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Papak's Findings and Recommendation (#31).

IT IS HEREBY ORDERED that the Commissioner's decision is affirmed.

DATED this 10 day of August, 2009.



GARR M. KING
United States District Judge